

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THE WAY INTERNATIONAL,)
Plaintiff,)
)
v.) C.A. No. 07-518-GMS
)
CARL A. TURNER, Sr. and THE WAY)
MINISTRIES, INC.,)
)
Defendants.)

MOTION FOR ENTRY OF DEFAULT

To The Clerk of Court:

Pursuant to Federal Rule of Civil Procedure 55(a), The Way International ("Plaintiff") moves for entry of default against Defendants Carl A. Turner, Sr. and The Way Ministries, Inc. ("Defendants") for failure to answer or otherwise plead in response to the Complaint. In support of this Motion, Plaintiff state as follows:

1. Plaintiff commenced this action on August 24, 2007, by filing a Complaint against Defendants, through which Plaintiff seek affirmative relief.
2. Defendant Carl A Turner, Sr. was served with a Summons and a copy of the Complaint by a process server on August 24, 2007. A copy of the Return of Service was filed on August 27, 2007 (D.I. 5).
3. Defendant The Way Ministries, Inc. was served with a Summons and a copy of the Complaint by a process server on August 29, 2007. A copy of the Return of Service was filed on August 30, 2007 (D.I. 6).

4. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Defendant Carl A Turner, Sr. was required to serve an answer or otherwise plead to the Complaint on or before September 13, 2007.

5. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Defendant The Way Ministries, Inc. was required to serve an answer or otherwise plead to the Complaint on or before September 18, 2007.

6. Neither Defendant served an answer or otherwise plead to the Complaint before their respective September dates. On October 2, 2007, Plaintiff sent Defendants a letter advising them that Plaintiff would move for default if the Defendants did not answer or otherwise plead to the Complaint by the close of business on October 12, 2007.

7. To date, Defendants have not served an answer or any other responsive pleading to the Complaint, nor has any counsel of record made an appearance on its behalf.

8. Federal Rule of Civil Procedure 55(a) provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party’s default.”

WHEREFORE, Plaintiff respectfully requests that default be entered against Defendants.

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

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Dated: October 17, 2007
825728 / 32139

By: /s/ Kenneth L. Dorsney
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Attorneys for Plaintiff The Way International

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CERTIFICATE OF SERVICE

I, Kenneth L. Dorsney, hereby certify that on October 17, 2007, a copy of the foregoing document was served upon Defendants by U.S. First Class Certified Mail (return receipt requested) at the following addresses of record and was electronically filed with the Clerk of the Court using CM/ECF:

VIA FIRST CLASS MAIL

Carl A. Turner, Sr.
1 Yorkshire Court
Bear, DE 19701

The Way Ministries, Inc.
c/o Carl A. Turner, Sr.
1 Yorkshire Court
Bear, DE 19701

/s/ Kenneth L. Dorsney
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